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Nixon & Vanderhye P.C. 11/21/06 4:07
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November 20, 2006

VIA FACSIMILE

MAIL STOP 16

Director of the U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Subject: **REQUEST FOR REFUND TO DEPOSIT ACCOUNT**

Deposit Account No. 14-1140
Statement Date: November 2, 2006
Date Posted: October 18, 2006
SEQ No.: 1
Fee Code: 1253
USPTO Ref.: 09/604,082
Our Ref.: 4380-107 WFG

To whom it may concern:

Regarding the Monthly Statement of Deposit Account dated November 2, 2006, (copy attached), we believe there is a fee related error therein, which has resulted in an overcharge to our Deposit Account. Please refer to the following explanation and issue a refund as soon as possible.

The Amendment filed October 11, 2006, (copy attached) included an authorization to charge the Small Entity Extension of Time fee to our Deposit Account No. 14-1140. The Three-Month Extension of Time fee was charged to our Deposit Account for the above-referenced application, however, the fee was incorrectly entered as "Large Entity" and a charge of \$980.00 (Fee Code: 1253) was assessed. The correct charge to the Deposit Account should be \$510.00 (Fee Code: 2253; Three-Month Extension of Time fee for "Small Entity"). A prompt refund is respectfully requested in the amount of \$470.00.

Thank you for your time and assistance, and if you have any questions, please do not hesitate to call me at the above number.

Very truly yours,

NIXON & VANDERHYE P.C.

By:


Willem F. Gadiano

WFG:ewm
Enclosures

1140923

NIXON & VANDERHYE PC Fax: 703-816-4100
Deposit Account Statement

Nov 20 2006 17:06

P. 03
Page 4 of 5

10/17 11	77021830	35-305 DJB	7001	\$650.00	\$38.37
10/17 1	10504708	4295-10 } LSN	1806	\$180.00	\$38.19
10/17 2	10504708	4295-10 } LSN	1202	\$300.00	\$37.89
10/17 1228	77022304	3184 289 FPP	7001	\$325.00	\$37.57
10/17 226	10528928	1035 554 DMB	1401	\$500.00	\$37.97
10/18 238	2421813	FPP 3969-2	8521	\$40.00	\$37.03
10/18 1508	77023541	2193 140 DJB	7001	\$325.00	\$36.78
10/18 1595	77023538	336 47 DJB	7001	\$325.00	\$36.88
10/18 2203	77023883	2449 DMB	7001	\$325.00	\$36.85
10/18 1	09604082*	45112-889 4380-107 WFN	253	\$980.00	\$35.07
10/18 2219	77023889	1037 3 FPP	7001	\$325.00	\$34.75
10/18 2325	77023854	3184 277 FPP	7007	\$275.00	\$34.47
10/18 2344	77023869	3184 276 FPP	7007	\$275.00	\$34.20
10/19 28	10333469	540 425 } SCS	1401	\$500.00	\$33.70
10/19 29	10333469	540 425 } SCS	1251	\$120.00	\$33.58
10/19 1910	77024738	4985 2 FPP	7001	\$650.00	\$32.93
10/20 20	10501867	540 513 } SCS	1401	\$500.00	\$32.49
10/20 21	10501867	540 513 } SCS	1251	\$120.00	\$32.91
10/20 6	11529277	925 355 HWB	1203	\$360.00	\$31.95
10/20 2109	11568129	30 582 } JHN	1631	\$300.00	\$31.66
10/20 2110	11568129	30 582 } JHN	1642	\$400.00	\$31.25
10/20 2411	11568129	30 582 } JHN	1633	\$200.00	\$31.85
10/20 128	10282988	249-281 ARC	1463	\$70.00	\$30.98
10/23 10	10570164	4579-9 } ML	2633	\$100.00	\$30.88
10/23 11	10570164	4579-9 } ML	2641	\$50.00	\$30.83
10/23 7	10521811	3687-104 } GRT	1201	\$200.00	\$30.63
10/23 8	10521811	3687-104 } GRT	1202	\$100.00	\$30.53
10/23 387	11568129	30 582 JHN	8021	\$40.00	\$30.49
10/24 537	77027279	1967 42 DJB	7001	\$325.00	\$30.16
10/24 1	10581607	61192 LCM	1615	\$250.00	\$29.91
10/24 2	10581607	61192 LCM	1616	\$360.00	\$29.55
10/24 8	11473313	4472-133 LSN	1202	\$350.00	\$29.20
10/24 1027	2398302	551 54 } FPP	7205	\$100.00	\$29.10
10/24 1820	2398302	551 54 } FPP	7200	\$200.00	\$28.98
10/25 8	77028926	4839 7 JAR FPP	7001	\$1,300.00	\$27.60
10/25 32	6861554	2818-128 ARC	8021	\$40.00	\$27.64
10/25 3	10556900	687-139 LCM	1616	\$360.00	\$27.28
10/25 4	10556900	687-139 LCM	1615	\$350.00	\$26.93
10/25 45*	2969200 DMB	2-366	8521	\$40.00	\$26.89
10/25 1	11261597	4380-192 WFG	2253	\$530.00	\$26.36 OK
10/25 9	11543166	2018-1494 LSN	1081	\$250.00	\$26.11
10/25 129	10343863 * GRT	251502008000 4662-337	1463	\$70.00	\$26.04
10/26 1	11410252	4750-40 } PTB	1201	\$400.00	\$25.64
10/26 2	11410252	4750-40 } PTB	1202	\$200.00	\$25.44
10/26 37	10980806	1767-130 WJS	1253	\$1,020.00	\$24.42
10/26 1217	77029629	35-301 DJB	7001	\$325.00	\$24.10
10/26 198	70669056	4446 74 DMB	6402	\$300.00	\$23.80
10/27 1	10549167	2590-135 DMB	1251	\$120.00	\$23.68

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I hereby certify that this document (including any paper referred to as being attached or enclosed) is being sent to the U.S. Patent and Trademark Office via facsimile transmission to (571) 273-8300 on the date indicated below, with a coversheet addressed to Commissioner for Patents, U.S. Patent and Trademark Office.

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By:

October 11, 2006
William F. Gadiano, Reg. No. 37,136

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BESSETTE et al.

Atty. Ref.: 4380-107; Confirmation No. 4329

Appl. No. 09/604,082

TC/A.U. 1651

Filed: June 27, 2000

Examiner: Afremova, Vera

For: PESTICIDAL COMPOSITIONS CONTAINING ROSEMARY OIL

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

This paper is being filed in response to an Office Action dated April 11, 2006. Please
→ grant a three-month extension of time for entry of this communication. Please charge the small
entity extension of time fee to Deposit Account No. 14-1140. Please amend the above-captioned
patent application, as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2.

Remarks/Arguments begin on page 4.

Day : Monday
Date: 11/20/2006

Time: 17:22:28

PALM INTRANET

Refund

Application Number Information

Application Number: 09/604082

Assignments

Filing or 371(c) Date: 06/27/2000

Effective Date: 06/27/2000

Application Received: 06/27/2000

Patent Number:

Issue Date: 00/00/0000

Date of Abandonment: 00/00/0000

Attorney Docket Number: 45112-089

Status: 71 /RESPONSE TO NON-FINAL OFFICE ACTION
ENTERED AND FORWARDED TO EXAMINER

Confirmation Number: 4329

Title of Invention: PESTICIDAL COMPOSITIONS CONTAINING ROSEMARY OIL

Examiner Number: 74551 / AFREMOVA, VERA

Group Art Unit: 1657

Class/Subclass:

424/745.000

Lost Case: NO

Interference Number:

Unmatched Petition: NO

L&R Code: Secrecy Code:1

Third Level Review: NO

Oral Hearing: NO

IFW IMAGE

Waiting for Response
Desc.Prior Art Filed

Secrecy Order: NO

Status Date: 10/18/2006

Bar Code	PALM Location	Location Date	Charge to Loc	Charge to Name	Employee Name	Location
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WRITER'S DIRECT DIAL NUMBER:
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Your Ref.: 09/604,082

Date: November 20, 2005

To: Director of the U.S. Patent & Trademark Office c/o Refunds
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Facsimile No.: 571-273-8300

From: Willem F. Gadiano

Number of Pages (including cover sheet):

4

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PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).

ewm

FACSIMILE OPERATOR

ATTACHMENT/S:

1. Request for Refund to Deposit Account;
2. Copy of page 4 of 11/2/06 Deposit Account Statement;
3. Copy of first page of Amendment dated October 11, 2006.

MESSAGE: PLEASE SEE ATTACHED.**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information belonging to Nixon & Vanderhye, which is confidential and/or legally privileged. This information is only intended for the use of the individual or entity named above. IF YOU ARE NOT THE NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR TAKING OF THIS INFORMATION FOR ANY USE WHATSOEVER IS STRICTLY PROHIBITED. If you have received this facsimile in error, please immediately contact us by telephone to arrange for return of the original documents to us.

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01 FC:2253 510.00 DA